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8 Attorneys for Plaintiff  
CHURCH OF SCIENTOLOGY  
9 INTERNATIONAL

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF MARIN  
12

13 CHURCH OF SCIENTOLOGY ) CASE NO. 157 680  
INTERNATIONAL, a California not- )  
14 for-profit religious corporation, )  
15 ) [CONSOLIDATED]  
16 )  
17 Plaintiff, ) PLAINTIFF'S NOTICE OF  
MOTION AND MOTION FOR  
18 vs. ) SUMMARY ADJUDICATION OF THE  
THIRTEENTH, SIXTEENTH,  
19 ) SEVENTEENTH AND NINETEENTH  
CAUSES OF ACTION OF  
20 ) PLAINTIFF'S SECOND AMENDED  
COMPLAINT  
21 )  
GERALD ARMSTRONG; DOES 1 through ) DATE: April 14, 1995  
22 25, inclusive, ) TIME: 9:00 a.m.  
DEPT: 1  
23 Defendants. ) TRIAL DATE: May 18, 1995  
)

24 PLEASE TAKE NOTICE that on April 14, 1995, at 9:00 a.m., or  
25 as soon thereafter as may be heard in Department 1 of the above-  
26 entitled Court located at the Hall of Justice, 3501 Civic Center  
27 Dr., San Rafael, California 94908-4177, plaintiff Church of  
28 Scientology International ("the Church") will move this Court to

1 issue an order granting summary adjudication of plaintiff's  
2 Thirteenth, Sixteenth, Seventeenth and Nineteenth Causes of  
3 Action (for breach of contract resulting in liquidated damages)  
4 in favor of the Church, pursuant to California Code of Civil  
5 Procedure Section 437c. This Motion is made on the grounds that  
6 there is no triable issue of any material fact relevant to  
7 plaintiff's enumerated claims for breach of contract, and that  
8 the Church is entitled to judgment on those causes of action as a  
9 matter of law.

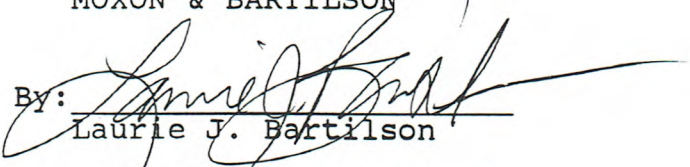
10 This Motion is based on this Notice of Motion and Motion,  
11 this Court's prior Order granting summary adjudication as to the  
12 Fourth and Sixth Causes of Action, the pleadings, records and  
13 files herein, the accompanying Memorandum of Points and  
14 Authorities, the declarations and exhibits filed herewith, the  
15 accompanying Separate Statement of Undisputed Material Facts, and  
16 such other evidence as may be adduced properly at the hearing of  
17 this Motion.

18 Dated: March 17, 1994

Respectfully submitted,

19 Andrew H. Wilson  
20 WILSON, RYAN & CAMPILONGO

21 MOXON & BARTILSON

22  
23 By:   
Laurie J. Bartilson

24 Attorneys for Plaintiff  
25 CHURCH OF SCIENTOLOGY  
26 INTERNATIONAL  
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WILSON, RYAN & CAMPILONGO  
115 Sansome Street, Suite 400  
San Francisco, California 94104

PROOF OF SERVICE

I declare that I am employed in the City and County of San Francisco, California.

I am over the age of eighteen years and not a party to the within entitled action. My business address is 115 Sansome Street, Suite 400, San Francisco, California.

On March 17, 1995, I caused the attached copy of PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, SIXTEENTH, SEVENTEENTH AND NINETEENTH CAUSES OF ACTION OF PLAINTIFF'S SECOND AMENDED COMPLAINT; PLAINTIFF'S MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, ETC; SEPARATE STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, ETC.; NOTICE OF LODGING VIDEO TAPE AS EXHIBIT 1K IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, ETC.; EVIDENCE IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, ETC. and REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, ETC. on the following in said cause, by placing for deposit with Lightning Express Messenger Service on this day in the ordinary course of business, true copies thereof enclosed in a sealed envelope. The envelope was addressed as follows:

Gerald Armstrong  
715 Sir Francis Drake Blvd.  
San Anselmo, California 94960-1949

Michael Walton  
700 Larkspur Landing Circle  
Larkspur, CA 94939

/ / /

1 I declare under the penalty of perjury under the laws of  
2 the State of California that the foregoing is true and correct.  
3 Executed at San Francisco, California on March 17, 1995.

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5 COLLEEN Y. PALMER

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